

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PRO-SPEC CORPORATION : CIVIL ACTION
vs. : NO. 16-4728
: :
CHESTER WATER AUTHORITY, *et al.* : :

ORDER

AND NOW, this 28th day of June 2017, upon consideration of Defendant DN Tanks' Motion for summary judgment (ECF Doc. No. 53), Plaintiff's Response (ECF Doc. No. 62), DN Tanks' Reply (ECF Doc. No. 65) and for reasons in the accompanying Memorandum, it is **ORDERED** Defendant DN Tanks' Motion (ECF Doc. No. 53) is **GRANTED in part and DENIED in part**:

1. We **grant** DN Tanks' Motion as to Plaintiff's civil conspiracy claim and breach of contract claim against it and **dismiss** DN Tanks' set-off claim as moot; and,
2. We **deny** DN Tanks' Motion as to its breach of contract claim against Plaintiff.


KEARNEY, J.